

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

PATRICK E. COE,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant

Civil No. C07-5381RBL-JKA

ORDER FOR REMAND

Based on the stipulation of the parties it is hereby ORDERED that the above- captioned case, pursuant to sentence four of 42 U.S.C. § 405(g), is affirmed as to the award of a closed period of disability from September 4, 2001, through August 15, 2003, and reversed and remanded for a de novo hearing to further evaluate the record and apply the 8-step sequential evaluation in determining medical improvement for the period following the closed period of disability, and including the following actions:

1 • The ALJ will conduct a new hearing, further develop the record and issue a new decision;

2 • The ALJ will apply the eight step sequential evaluation process applicable to cessation of  
3 benefits cases pursuant to 20 C.F.R. § 404.1594;  
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5 • The ALJ will reevaluate and further develop all the medical evidence or record;

6 • The ALJ will reevaluate step two of the sequential evaluation process, including but not  
7 limited to Plaintiff's mental limitations;

8 • The ALJ will evaluate the lay witness statements within the record from Mark Frost;

9 • The ALJ will reevaluate Plaintiff's credibility;

10 • The ALJ will reevaluate Plaintiff's RFC;

11 • The ALJ will reevaluate steps four and step five of the sequential evaluation process with  
12 the assistance of a vocational expert, as necessary; and  
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14 • The ALJ will, if still pending, consolidate the subsequently filed title XVI application and  
15 issue the new decision based on the consolidated claims.  
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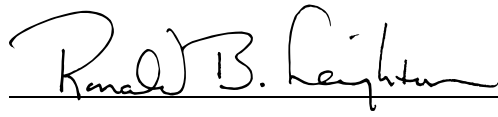
17 Upon proper presentation, this Court will consider Plaintiff's application for costs and  
18 attorney's fees under 28 U.S.C. § 2412(d)

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2 DATED this 28<sup>th</sup> day of January, 2008.  
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11 RONALD B. LEIGHTON  
12 UNITED STATES DISTRICT JUDGE

13 Recommended for Entry:

14 /s/ J. Kelley Arnold

15 UNITED STATES MAGISTRATE JUDGE

16 Presented by:

17 s/ Franco L. Becia WSB # 26823

18 Special Assistant U.S. Attorney

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